

II. Remarks:

Claims 1-21 were pending in this application and were rejected. Applicants acknowledge that the previously presented amendments in the Reply filed on March 23, 2009 were not entered as indicated in the Advisory Action issued on April 6, 2009. Accordingly, the present amendments are made herein with respect to the claims as presented in the Reply filed on December 23, 2008. Specifically, the present amendment amends claim 1 to more particularly point out and clarify Applicants' invention. After this amendment, claims 1-21 will be pending.

Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 1, 2, 5-9 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,977,653 issued to Schmid et al. ("Schmid") in view of GB Patent No. 2,370,671 issued to Bauch et al. ("Bauch"). In view of the amendments and remarks contained herein, Applicants respectfully submit that the rejections of claims 1, 2, 5-9 and 15 are traversed.

Claim 1 has been amended to recite that the control unit is located away from the central longitudinal line of the vehicle. Support for this amendment may be found in Applicants' application at paragraph [0045].

Applicants' invention is concerned with providing a sensor unit on a vehicle such that the sensor unit is subject to less vibration than conventional sensor-control unit arrangements, and is able to sense acceleration representative of the acceleration of the vehicle as a whole. One source of vibration may be from the control unit. By forming a sensor unit distinct from the control unit, the sensor unit and the control unit may be spaced apart from each other to separate the sensor unit from vibrations generated by the control unit. In particular, the sensor unit is located in an area of the vehicle (i.e. a central longitudinal line of the vehicle, e.g., located on a central tunnel of the vehicle) with reduced vibration and representative vehicle acceleration, and the control unit is located away from the central longitudinal line.

Schmid discloses a detection configuration 20 in communication with a central configuration 10 to be used for side-impact detection and for firing a restraining device of a vehicle. The impact detection configuration 20 includes an acceleration sensor 5 and is disposed in a side part of the vehicle. The central configuration 10 includes a control unit 1 and evaluates the signals from the detection configuration 20 to determine whether or not firing element 100 is to be fired. *Schmid* at col. 7, lines 6-51 and Figure 3. As noted by the Examiner, Schmid fails to disclose the detection configuration 20 as being located along a central longitudinal line of the vehicle. Moreover, Schmid discloses that the control unit 1 of the central configuration 10 is located along the longitudinal axis A-A' of the vehicle.

Bauch discloses a side impact sensing system 10 that has a first sensor unit 18 mounted on the door 36 of the vehicle 12 and a second sensor unit 26 mounted in the passenger compartment 52. The first and second sensors units provide signals to a controller 14 which compares the signals to determine whether to inflate an airbag 28. *Bauch* at Abstract. Notably, the controller 14 is located along the longitudinal axis 44 of the vehicle. *Id.* at Figure 1.

McCall discloses a core inertial measurement unit (IMU), including acceleration sensors, to be employed with a Micro Electronic Mechanical System (MEMS) for guidance and navigation. The Examiner posits that the IMU is analogous to Applicants' claimed sensor unit. The IMU contains a control circuit board 9 (most analogous to Applicants' control unit) and accordingly, the control circuit board 9 is not disclosed as being located remotely from the IMU. *Id.* at Col. 18, lines 50-55 and Figures 17 and 18. Moreover, McCall fails to disclose that the control circuit board 9 is located away from the central longitudinal line of the vehicle.

In that the combination of the references fail to disclose or suggest the limitations noted as being absent, it would be concluded that the combination of Schmid, Bauch and McCall cannot render claim 1, and the claims dependent thereon, as obvious. The rejection under § 103 is therefore improper and should be withdrawn.

Claims 3 and 4 were rejected under 35 U.S.C. §103(a) as being unpatentable over Schmid in view Bauch and further in view UK Patent No.

GB 2,292,126 issued to Burton et al. ("Burton"). Applicants respectfully submit that the rejections of claims 3 and 4 are traversed.

Since claims 3 and 4 depend on claim 1 and since Burton fails to disclose a control unit located remotely away from a sensor unit and away from the central longitudinal line of the vehicle, the combination of Schmid, Bauch and Burton cannot render the claims of the present invention as obvious. The rejection under §103(a) is therefore improper and should be withdrawn.

Claim 10 was rejected as being unpatentable over Schmid in view of Bauch and further in view of U.S. Patent No. 6,113,138 issued to Hermann et al ("Hermann"). Applicants respectfully submit that the rejection of claim 10 is traversed.

Since claim 10 depends on claim 1 and since Hermann fails to disclose fails to disclose a control unit located remotely away from a sensor unit and away from the central longitudinal line of the vehicle, the combination of Schmid, Bauch and Hermann cannot render the claims of the present invention as obvious. The rejection under §103(a) is therefore improper and should be withdrawn.

Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Schmid in view Bauch and further in view of U.S. Patent No. 6,459,366 issued to Foo et al ("Foo"). Applicants respectfully submit that the rejection of claim 11 is traversed.

Since claim 11 depends on claim 1 and since Foo fails to disclose a control unit located remotely away from a sensor unit and away from the central longitudinal line of the vehicle, the combination of Schmid, Bauch and Foo cannot render the claims of the present invention as obvious. The rejection under §103(a) is therefore improper and should be withdrawn.

Claims 12-14, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable Schmid in view of Bauch and further in view of U.S. Publication No. 2002/0084636 issued to Lewallen et al. ("Lewallen"). Applicants respectfully submit that the rejection of claims 12-14 and 16 are traversed.

Since claims 12-14 and 16 depend on claim 1 and since Lewallen fails to disclose a control unit located remotely away from a sensor unit and away from the central longitudinal line of the vehicle, the combination of Schmid, Bauch and Lewallen cannot render the claims of the present invention as obvious. The rejection under §103(a) is therefore improper and should be withdrawn.

Claims 17-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schmid in view Bauch and further in view of McCall. Applicants respectfully submit that the rejections of claims 17-20 are traversed.

Since claims 17-20 depend on claim 1 and since McCall fails to disclose a control unit located remotely away from a sensor unit and away from the central longitudinal line of the vehicle, the combination of Schmid, Bauch and

McCall cannot render the claims of the present invention as obvious. The rejection under §103(a) is therefore improper and should be withdrawn.

Claim 21 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Schmid in view Bauch as applied to Claim 1 above, and further in view of U.S. Patent No. 6,145,389 issued to Ebeling et al. ("Ebeling"). Applicants respectfully submit that the rejection of claim 21 is traversed.

Since claim 21 depend on claim 1 and since Ebeling fails to disclose a control unit located remotely away from a sensor unit and away from the central longitudinal line of the vehicle, the combination of Schmid, Bauch and Ebeling cannot render the claims of the present invention as obvious. The rejection under §103(a) is therefore improper and should be withdrawn.

Accordingly, Applicants believe that claims 1-21 are in a condition for allowance.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted,

Dated: April 20, 2009

/Daniel P. Dailey/

Daniel P. Dailey (Reg. No. 54,054)